

TOWNSEND & TOWNSEND
JULY 30, 1999 CREW

PTAS
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12176-00621065
KL Bastian
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231



101053141A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/24/1999

REEL/FRAME: 009984/0796
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
BURGESS, DIANE

DOC DATE: 02/22/1999

ASSIGNOR:
GUTTERSON, NEAL

DOC DATE: 02/22/1999

ASSIGNEE:
DNA PLANT TECHNOLOGY CORPORATION
6701 SAN PABLO AVENUE
OAKLAND, CALIFORNIA 94608-1239

SERIAL NUMBER: 09186775
PATENT NUMBER:

FILING DATE: 11/06/1998
ISSUE DATE:

JEEVON JONES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

5.24.99

FORM PTO-1595
(Rev. 6-93)

06-02-1999



ket No. 012176-006210US

D/A

Re

101053141

To the Honorable Asst. Commissioner for Patents. Please record the attached original or copy thereof

1. Name of conveying party(ies):

Diane BURGESS and Neal GUTTERSON

Additional name(s) of conveying parties attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other:

Execution Date: February 22, 1999 (both Burgess and Gutterson)

2. Name and address of receiving party(ies):

Name: DNA Plant Technology Corporation

Internal Address:

Street Address: 6701 San Pablo Avenue

City: Oakland State: CA ZIP: 94608-1239

Additional names and addresses attached? Yes No

4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s): 09/186,775

B. Patent No(s):

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Kevin L. Bastian
 TOWNSEND AND TOWNSEND AND CREW LLP
 Two Embarcadero Center, 8th Floor
 San Francisco, California 94111-3834
 (415) 576-0200

6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41): \$40.00

 Enclosed Charge Fees to Deposit Account Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 20-1430

06/01/1999 JSHABAZZ 00000055 201430 09186775

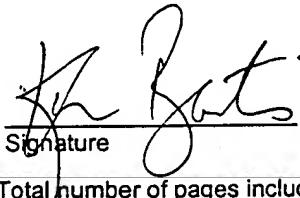
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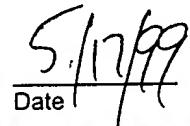
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9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

Kevin L. Bastian
 Name of Person Signing


 Signature


 Date

Atty Reg. No. 34,774

Total number of pages including cover sheet, attachments and document 3

10. Change Correspondence Address to that of Part 5? Yes No

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover to:

Asst. Commissioner for Patents
 Box: Assignments
 Washington, D.C. 20231

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Diane Burgess, of 2823 Kelsey Street, Berkeley, California, 94618 and Neal Gutterson, 5169 Golden Gate Avenue, Oakland, California 94618 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: MATERIALS AND METHODS FOR HYBRID SEED PRODUCTION

Date(s) of execution of Declaration: _____

Filing Date: November 6, 1998

Application No.: 09/186,775; and

WHEREAS, DNA Plant Technology Corporation, 6701 San Pablo Avenue, Oakland, California 94608-1239, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that Assignors will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain

Assignment
Application No.: 09/186,775
Page 2

Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

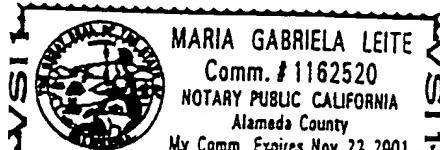
IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

Dated: 2/22/99

Diane Burgess

Diane Burgess

STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)



On Feb 22, 1999, before me, Diane Burgess, personally appeared Diane Burgess, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

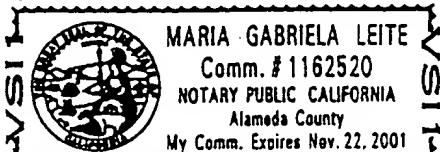
Neal Gutterson
NOTARY PUBLIC

My Commission Expires: 11/22/2001

Dated: 2/22/99

Neal Gutterson

STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)



On Feb 22, 1999, before me, Maria Gabriela Leite, personally appeared Neal Gutterson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Neal Gutterson
NOTARY PUBLIC

My Commission Expires: 11/22/2001